



**CITY OF FAIRBURN  
City Council Meeting Minutes  
City Hall  
56 Malone Street  
Fairburn, GA 30213  
Date: January 9, 2012  
7:00 P.M.**

The Honorable Mayor Mario Avery

The Honorable Ron Alderman  
The Honorable Elizabeth Hurst  
The Honorable Jean Barkley Russell

The Honorable Alex Heath  
The Honorable Marian Johnson  
The Honorable Scott Vaughan

City Administrator:  
City Clerk:  
City Attorney:

Mr. Tom B. Barber  
Mrs. Brenda B. James  
Mr. Randy Turner

- I. MEETING CALLED TO ORDER: Honorable Mario Avery**
- II. INVOCATION:** provided by Pastor Taylor
- III. PLEDGE OF ALLEGIANCE:** recited in unison
- IV. SWEARING IN OF COUNCIL MEMBERS BY MAYOR MARIO AVERY:**  
  
Council Member Ronald Alderman  
Council Member Elizabeth Carr Hurst  
Council Member Marian Johnson
- V. ROLL CALL:** All Members of Council were present which constituted a quorum.
- VI. PUBLIC COMMENTS:**

Nell Smith, 204 Fayetteville Road, said in the December 12<sup>th</sup> City Council Meeting, an Elected Official commented that there would be some changes in the year 2012. She said she hopes that accountability is included in those changes as it relates to prioritizing the money spent and used in the City and Code Enforcement issues. She said there were concerns about employee raises in the last 2 or 3 years and she agrees that employees should get raises, however; they do have a job. She said the employees are very important to the City. She expressed her concerns about employees long lunch hours and

city vehicles be driven home and said someone should be held accountable for these actions. She thanked Council Member Vaughan for bringing up the issues on Fayetteville Road and said she has spoken with the City Engineer to address the issues.

Pastor Danita Jones, Dodd Street, wished everyone a Happy New Year and declared that year 2012 would be a very prosperous year in the City. She thanked the City for their continued support working with the Lightnin Community. She said she has been working with the Lightnin Community for 16 years and with the City's help they can now see the light that God has promised in the community. She said the crime rate, teen pregnancy and dropout rates are down; the hungry is feed and graduation rates are up. She said she was able to see many lives change with the support of the Fire, Street, Police and Code Enforcement, an in addition with the new sidewalks; this has added pride to the community. She said she served over 400 people Thanksgiving Dinner on Thanksgiving Day 2011, with the assistance of the rest of the churches and city businesses. She said without the partnership, this could not have been possible. She said she was also thankful of the redevelopment in the downtown area and everyone should experience and embrace the motto made by the Mayor "One Fairburn One Family." She said that everyone will see the cohesiveness of growth, unity in business and the community. She said she hope the City is blessed and kept in God's perfect peace.

#### **VII. APPROVAL OF THE AGENDA:**

Council Member Russell made a motion to adopt the Agenda putting items 1, 2, 3, 5, 7 and 8 on Consent Agenda with Council Member Hurst providing the second. **The motion carried.**

#### **VIII. APPROVAL OF CONSENT AGENDA ITEMS:**

Council Member Vaughan made a motion to approve Consent Agenda items 1, 2, 3, 5, 7 and 8. Council Member Russell seconded the motion. **The motion carried.**

1. Appointment of the Mayor Pro-Tem for 2012- Council Member Ron Alderman
2. Staff Appointments for Year 2012- City Clerk; Brenda James, Police Chief; Chip McCarthy and Landscape Architect; Rick Sewell
3. Legal Organ for the City of Fairburn for 2012- South Fulton Neighbor News Paper
5. Appointments of Boards and Commissions

The Mayor made the following appointments for the 2012 year for Boards and Commissions with one addition; appoint Mark Wade to the Planning and Zoning Commission.

Downtown Development Authority and Development Authority

Rhonda Appleby	Replace Steve Thomas	Term Expires 01/31/2014
Suzanne Presley	Replace Dyan Matthews	Term Expires 01/31/2014
Jeff Couch		Term Expires 01/31/2016

Fairburn Housing Authority

Betty North		Term Expires 01/09/2017
Tonya Mobley		Term Expires 01/09/2017

Planning and Zoning Commission

Mark Wade		Term Expires 01/31/2016
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7. Purchase of Property Management Vehicle

8. Purchase of Street Department Trucks

The Mayor asked each appointee to come forward and they introduced themselves. All were present with the exception of Tonya Mobley and Mark Wade.

**X. AGENDA ITEMS:**

4. Resolution to Appoint the Municipal Judge

Council Member Heath made a motion to approve the Resolution and appoint Monica Ewing Municipal Judge with Council Member Hurst providing the second. **The motion carried.**

6. Resolution by the Mayor and City Council to Adopt a Legislative Agenda for the 2012 Session of the Georgia General Assembly

Council Member Russell made a motion to approve the Resolution by the Mayor and Council to adopt four items listed as follows with Council

Member Heath providing the second.

1. Authorize to pursue an amendment to the Charter to remove millage rate cap.
2. Move or consider up to 8% for Hotel Motel Tax and come back with a specific resolution.
3. Seek authorization to provide the authority to enact a Tax Allocation District City of Fairburn with Legislative authorization to seek a TAD.
4. De annexation of Parkway Drive on 138, (Hwy 29) and the additional property located at Vickers Road, north of Hwy 138, into Union City.

Council Member Alderman asked the City Attorney to explain why the Council is trying to remove the millage rate cap.

The City Attorney, Randy Turner gave an overview of the millage rate cap. "He said the Development Authority has been involved in the issuance of bonds. These bonds were secured by a contractual obligation by the City of Fairburn to guarantee to pay the debt service on the bonds. The last bond issuance was the refinancing of the college bonds and additional funding for new buildings. In order to get the issuance insured for repayment by a private insurance company, the insurance company required the City to undertake an obligation not to take on the guarantee of any additional debt that would potentially put the City in a position to having guarantee debt service payments and would not have the taxing capacity to cover. So the property tax millage cap in the City Charter would have to be removed, so that potentially in the future if the City of Fairburn is presented with any other bonding opportunity they would require the City not have to raise money in property tax but would require the City to guarantee potentially the repayment of the revenue bonds, that for some reason is a short fall. And in order to do such projects the cap would have to be increased or removed. Most municipal corporations do not have the State of Georgia imposing their limits. So the decision on taxation is the decision left to the local government."

Council Member Hurst expressed concerns about the change of the Charter and asked if the Mayor and Council could be given more time in the future to review items regarding this nature. She said this would allow them enough time to speak with the State Representatives. **After much discussion the motion carried.**

**XI. APPROVAL OF CITY COUNCIL MINUTES:** Council Meeting of December 12, 2011

Council Member Alderman made a motion to approve the minutes of

December 12, 2011 with Council Member Vaughan providing the second.  
**The motion carried.**

**9. Mayor's State of the City Address**

Mayor Avery presented the State of the City Address. He provided an overview of the 2011 achievements, challenges and goals for the City. A copy of the Mayor's State of the City Address is available in the City Clerk's Office.

**XII. COMMENTS FROM MAYOR AND COUNCIL:**

Council Member Alderman said the Mayor's presented a great speech and said he appreciates each and every individual for their support in the 2011 Election. He said this is a new year and the Council is committed to doing their very best to serve the City by utilizing whatever talents the Lord has given them to serve the citizens; and never make decisions easily or lightly. He said he had reservations about removing the millage rate cap, however once the City Administrator, Tom Barber explained the situation he understood why the City has to support it. He said it was very difficult to campaign during his reelection addressing the tax bills. However, this represents progress in the City. He wished everyone a happy and prosperous New Year and said if there is anything he can do to assist the citizens to please let him know. He thanked each volunteer committee member for volunteering.

Council Member Heath thanked everyone for coming out and attending the meeting. He said he will be running for reelection in two years and to please remember him. He said he was excited about everything that is happening in the City. He said it will be so nice to have new restaurants coming into the City. He thanked the Mayor and Council for having the vision to bring in new businesses and recreation into the City. He said this has created enthusiasm for the Mayor and Council to have the foresight to go and do the things that need to be done. He said Duncan Park is now available for the kids to go and play. He wished everyone a happy and prosperous New Year.

Council Member Hurst wished everyone a Happy New Year and thanked the Mayor for such a comprehensive report in the State of the City Address. She said Fairburn is a great City and as they move forward in 2012; and look at the goals they have in mind for Fairburn; they are like a train; they are moving and will continue to move. She said she believes the City is moving in the right direction and said it was a pleasure to work with the Council the last four years. She said they have not always agreed however; they still have the same common goal and that is to work together for the betterment of Fairburn. She said she is excited about Quik Trip coming on Hwy 74 because she has never gone to a Quik Trip and was not greeted. She said she is equally excited about Cracker Barrel and believes it will bring a lot of people to the City and will be

a meeting place for Mayor and Council. She said she could visualize herself walking in and seeing Council Member Vaughan and his family sitting in Cracker Barrel, the City Administrator, the Mayor and his wife; and other members of Council. She encouraged everyone to continue to attend the meetings and support the Council. She said they do not know everything and let them know if there is anything they can do. She said there was a comment made regarding a Council Member saying there would be changes in 2012. She said she was that Council Member and she encouraged everyone to embrace those changes. She wished everyone a Happy New Year and said she knows it will be a fantastic year; and she looks forward to working with everyone in 2012.

Council Member Russell welcomed all the volunteers who devote all their time to the different committees. She said she volunteered her time on the Development Authority and then ran for office. She said she has really enjoyed the last two years in office. She said her passion is economic development and her goal is to continue to work with the Development Authority; and the Mayor and Council. She commented how it is a huge plus within the region to be able to work together. She said her focus is economic development by assisting with bringing in new business into the City because it is the business taxes that help to bring in revenue and prevent them from raising the taxes on the residents. She said there is a bill board north on Hwy 85 saying Fairburn is open for business, which is a great selling tool for the City. She said there is a vote on a transportation bill in the summer or fall of 2012, which is a 1 cent sales tax, which affects the 74 corridor and it is critical for everyone to support the bill. She said she is very thankful to have staff that provides the amount of work that is done in the City. She said the staff in the City has not grown larger, based on the City's population but what the staff has accomplished on a professional basis is exceptional. She encouraged everyone to come out and attend the meetings because they are very educational. She said she was excited to see what was going on in the downtown area and also encouraged a neighborhood watch group for those neighborhoods who do not have one. She said if there are any questions or concerns please let her know. She wished everyone a Happy New Year and said this will be a great year for Fairburn.

Council Member Johnson said she was just reelected and she was considering not running for office again. She said the reason she decided to run was to make sure that the different projects such as Duncan Park and the downtown development were done the right way. She said her husband had open heart surgery three weeks ago and she appreciates all the prayers and concerns. She said she was hopeful that he will come home soon.

Council Member Vaughan said that everything said by everyone tonight was important and commended the Mayor for doing such a great job. However, his heart and passion is football.

**XIII. ADJOURN COUNCIL MEETING:**

Council Member Johnson made a motion to adjourn the meeting at 8:25 p.m. with Council Member Vaughan providing the second. **The motion carried.**

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Brenda B. James City Clerk

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Mario Avery, Mayor